

**REMARKS**

Claims 1-17 are currently pending in the subject application, and are presently under consideration. In accordance with the decision in *Ex Parte* Robert R. Rice and Sami Ali Shakir, rendered by the Board of Patent Appeals and Interferences on August 3, 2009, the rejection of claim 5 has been reversed. Therefore, claims 1, 6, and 11 have been amended to substantially incorporate the elements of claim 5, now cancelled. Therefore, claims 1, 6, and 11 should now be in condition for allowance. Consideration and allowance of claims 1-4 and 6-17 is respectfully requested.

**CONCLUSION**

In view of the foregoing remarks, Applicant respectfully submits that the present application is in condition for allowance. Applicant respectfully requests reconsideration of this application and that the application be passed to issue.

Please charge any deficiency or credit any overpayment in the fees for this amendment to our Deposit Account No. 20-0090.

Respectfully submitted,

Date 8 September 2009

/Christopher P Harris/

Christopher P. Harris

Registration No. 43,660

CUSTOMER NO.: 26,294

TAROLLI, SUNDHEIM, COVELL, & TUMMINO L.L.P.  
1300 EAST NINTH STREET, SUITE 1700  
CLEVELAND, OHIO 44114

Phone: (216) 621-2234

Fax: (216) 621-4072